



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS

JUL 18 2016

Ms. Kelly Wright
Senior Manager Environmental Relations
Johnson Controls
700 N. Broad Street
Middletown, DE 19709-1050

**Re: Notice of Violation Withdraw
Compliance Evaluation Inspection
March 29, 2016
EPA ID No. DED002353092**

Docket Number: R3-16-NOV-RCRA-017

Dear Ms. Wright:

On May 17, 2016, the U.S. Environmental Protection Agency, Region III ("EPA") issued a Notice of Violation ("NOV") to Johnson Controls ("Facility") in regards to the Compliance Evaluation Inspection ("CEI") that occurred on March 29, 2016. The NOV addressed uncontained residual hazardous waste materials at the strip caster and the aerosol can puncturing unit, an open hazardous waste satellite accumulation container and Universal Waste Lamps that were not in closed container, labeled with the required description, or marked with the date at which accumulation began.

Upon receiving and reviewing documentation you had sent on June 8, 2016, it has been determined that Johnson Controls was not in violation of the following provisions at the time of the inspection:

3. Universal Waste Lamps found on the floor, under a table within the Junk Core Storage Area, in (2) open, unlabeled, undated containers (Photos #16 and #17).
 - a. The observed Universal Waste Lamps were not contained properly pursuant to DRGHW §273.13 (d)(1) [40 CFR §273.13 (d)(1)] which requires that Universal Waste Lamps be stored in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.
 - b. The observed Universal Waste Lamps were not labeled pursuant to DRGHW §273.14 (e) [40 CFR §273.14 (e)] which requires that each lamp or a container or package in

which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste – Lamp(s)", or "Waste Lamp(s)", or "Used Lamp(s)".

- c. The observed Universal Waste Lamps were not dated pursuant to DRGHW §273.15 (c)(1) [40 CFR §273.15 (c)(1)] which requires placing universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received.

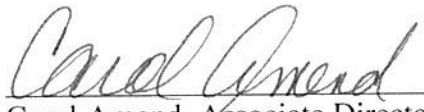
The preceding violation has been withdrawn and will not be recorded with the other violations on Notice of Violation R3-16-NOV-RCRA-017.

Thank you for following up with the EPA in a timely manner after receiving the NOV and providing supporting documentation.

If you have any questions or concerns, please feel free to contact the EPA. Any response to this matter can be addressed to:

Eric Greenwood
U.S. Environmental Protection Agency – Region III
RCRA Office of Land Enforcement (3LC70)
1650 Arch Street
Philadelphia, PA 19103
greenwood.eric@epa.gov
(p): 215-814-2057

Sincerely,



Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement

Date July 18, 2014

CC KJ D'ANTHONY
Rick GREENFIELD
P. Belgioioso } Spoke to Rick
Regarding
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